

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

JAMES F. CAMPENELLA

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CRIMINAL NO. 07-431-02

ORDER

AND NOW, this 31st day of August 2011, upon consideration of defendant James F. Campenella's Motion to Vacate Conviction and Set Aside Sentence (Document No. 62, filed May 5, 2011); the Government's Response to Defendant's Motion to Vacate Conviction and Set Aside Sentence (Document No. 64, filed May 24, 2011); Defendant James Lynch's Reply in Support of Motion to Vacate (Document No. 67, filed June 12, 2011); for the reasons set forth in the Memorandum dated August 31, 2011, **IT IS ORDERED** as follows:

1. Defendant James Campenella's Motion to Vacate Conviction and Set Aside Sentence under 28 U.S.C. § 2255 is **GRANTED**;
2. Defendant James Campenella's conviction and sentence are **VACATED** and **SET ASIDE**; and
3. The Government shall **REPAY** to Defendant James Campenella all sums paid by the said defendant on account of his fine and special assessment within 90 days of the date of this Order.

BY THE COURT:

_____/s/ Hon. Jan E. DuBois_____
JAN E. DUBOIS, J.